

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RODRIGO MIJARES
Plaintiff(s),
vs.
CAPITAL ONE BANK (USA), N.A.,
Defendant(s).

Case # 3:18-cv-00463

**ORDER GRANTING
VERIFIED PETITION FOR
PERMISSION TO PRACTICE
IN THIS CASE ONLY BY
ATTORNEY NOT ADMITTED
TO THE BAR OF THIS COURT
AND DESIGNATION OF
LOCAL COUNSEL**

EILING FEE IS \$250.00

Carlos C. Alsina-Batista, Petitioner, respectfully represents to the Court:
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of
The Law Offices of Jeffrey Lohman, P.C.
(firm name)

with offices at 4740 Green River Road, Suite 310
(street address)

Corona _____, California _____, 92880
(city) _____, (state) _____, (zip code) _____

(657) 363-3331 , carlosa@jlohman.com
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by

Rodrigo Mijares _____ to provide legal representation in connection with
[client(s)]

the above-entitled case now pending before this Court.

1 3. That since 2/16/2015 (date), Petitioner has been and presently is a
2 member in good standing of the bar of the highest Court of the State of Puerto Rico (state)
3 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or
4 from the clerk of the supreme court or highest admitting court of each state, territory, or insular
5 possession of the United States in which the applicant has been admitted to practice law certifying
6 the applicant's membership therein is in good standing.

7 4. That Petitioner was admitted to practice before the following United States District
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts
9 of other States on the dates indicated for each, and that Petitioner is presently a member in good
10 standing of the bars of said Courts.

| 11 | Court | Date Admitted | Bar Number |
|----|--|-------------------|---------------|
| 12 | <u>US District Court- District of Puerto Rico</u> | <u>11/2/2005</u> | <u>222801</u> |
| 13 | <u>US Court of Appeals for the 1st Circuit</u> | <u>11/10/2005</u> | <u>109241</u> |
| 14 | <u>US Court of Appeals for the 9th Circuit</u> | <u>5/23/2018</u> | |
| 15 | <u>US District Court- District of Colorado</u> | <u>6/5/2018</u> | |
| 16 | <u>US District Court -E.D. of Wisconsin</u> | <u>5/23/2018</u> | |
| 17 | <u>US District Court- District of North Dakota</u> | <u>5/29/2018</u> | |
| 18 | | | |

19 5. That there are or have been no disciplinary proceedings instituted against petitioner,
20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory
21 or administrative body, or any resignation or termination in order to avoid disciplinary or
22 disbarment proceedings, except as described in detail below:

23 (State "none" if Petitioner has no disciplinary proceedings, etc.) None.

1 6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give
2 particulars if ever denied admission):

3 (State "none" if Petitioner has never been denied admission.) None.

6 7. That Petitioner is a member of good standing in the following Bar Associations.

7 (State "none" if Petitioner is not a member of other Bar Associations.)

8 Puerto Rico; Puerto Rico Federal Bar

10 8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

| Date of Application | Cause | Title of Court Administrative Body or Arbitrator | Was Application Granted or Denied |
|---------------------|---------------------------|--|---|
| 6/22/2018 | Durst v. Capital One Bank | US District Court of Nevada | Granted |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

19 (If necessary, please attach a statement of additional applications)

20 9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same
22 extent as a member of the State Bar of Nevada.

23 10. Petitioner agrees to comply with the standards of professional conduct required of
24 the members of the bar of this court.

25 11. Petitioner has disclosed in writing to the client that the applicant is not admitted to
26 practice in this jurisdiction and that the client has consented to such representation.

That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
FOR THE PURPOSES OF THIS CASE ONLY. *[Signature]*

STATE OF California)
COUNTY OF Riverside)

Petitioner's signature

Carlos C. Alsina-Batista, Petitioner, being first duly sworn, deposes and says:

That the foregoing statements are true.

Petitioner's signature

Subscribed and sworn to before me this

day of

See Attached 0

Notary Public or Clerk of Court

**DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO
THE BAR OF THIS COURT AND CONSENT THERETO.**

Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner believes it to be in the best interests of the client(s) to designate Mathew K. Higbee,
(name of local counsel) Attorney at Law, member of the State of Nevada and previously admitted to practice before the above-entitled Court as associate resident counsel in this action. The address and email address of said designated Nevada counsel is:

2445 Fire Mesa Street, Suite 150
(street address)

Las Vegas
(city)

Nevada

89128
(zip code)

(702) 583-4778 ext. 152, mhigbee@higbeeassociates.com
(area code + telephone number) (Email address)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Riverside

Subscribed and sworn to (or affirmed) before me on this 16th
day of November, 20 18, by Carlos C. Alsina -Bastista

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes
2 agreement and authorization for the designated resident admitted counsel to sign stipulations
3 binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6

7 The undersigned party(ies) appoint(s) Mathew K. Higbee as
8 (name of local counsel)
his/her/their Designated Resident Nevada Counsel in this case.

9

10 /s/ Rodrigo Mijares
11 (party's signature)

12 Rodrigo Mijares, Plaintiff
13 (type or print party name, title)

14 (party's signature)

15 (type or print party name, title)

16

17 **CONSENT OF DESIGNEE**

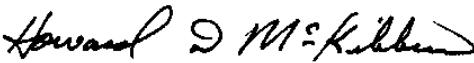
18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19 
20 Designated Resident Nevada Counsel's signature

21 11158 mhigbee@higbeeassociates.com
22 Bar number Email address

23 APPROVED:

24 Dated: this 13 day of December, 2018.

25 

26 UNITED STATES DISTRICT JUDGE

Commonwealth of Puerto Rico
Supreme Court
San Juan, Puerto Rico

Certificate of Good Standing

This is to certify that on the 16th day of February, 2005

Carlos C. Alsina-Batista

*was duly licensed and admitted by this Supreme Court to practice as an Attorney at Law on all the courts of the Commonwealth of Puerto Rico, after taking and passing the written bar examination and taking and subscribing the oath required by law. I further certify that, as of this date, Atty. **Carlos C. Alsina-Batista** is in Good Standing on the Roll of Attorneys of this Court. On September 13th 2005, Atty. **Alsina-Batista** was also admitted to practice the notarial profession in Puerto Rico.*

In Witness Whereof, I issue this certificate, on which I have cancelled an internal revenue stamp of one dollar, in the City of San Juan, Puerto Rico this 8th day of June, 2018.



*Yadira Ortiz-Merced
Assistant Clerk, Supreme Court of Puerto Rico*

18-B3621897 JLF 8/6/18

UNITED STATES DISTRICT COURT
For The District Of Puerto Rico

CERTIFICATE OF GOOD STANDING

I, Frances Rios de Moran, Esq., Clerk of this Court, certify that Carlos C. Alsina-Batista Bar number 222801, was duly admitted to practice in this Court on November 2, 2005 and is in good standing as a member of the Bar of this Court.

Dated at San Juan, on June 13, 2018
City

Date



*Antonio Rodriguez
Deputy Clerk*

Frances Rios de Moran
Clerk of The Court

United States Court of Appeals



For the First Circuit

Carlos C. Alsina-Batista

Court of Appeals Bar No. 109241

was admitted and qualified as an Attorney and Counsellor of the United States Court of Appeals for the First Circuit on the tenth day of November in the year of our Lord, two thousand and five, and the Independence of the United States of America, the two hundredth and twenty-ninth year.

In testimony Whereof I, Margaret Carter, Clerk of said Court, have hereunto set my hand and offered the Seal of said Court, at the City of Boston, on the twelfth day of June in the year of our Lord, two thousand and eighteen.



Margaret Carter

Clerk of the United States Court of Appeals for the First Circuit